



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

von BORSTEL et al Atty. Ref.: 1331-353; Confirmation No. 2510

Appl. No. 09/964,514 TC/A.U. 1623

Filed: September 28, 2001 Examiner: Howard V. Owens, Jr.

For: ACYLATED URIDINE AND CYTIDINE AND USES THEREOF

\* \* \* \* \*

September 20, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR ISSUANCE OF NEW OFFICIAL ACTION**

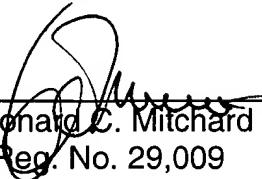
Receipt of the Official Action dated August 31, 2004 is acknowledged. The Official Action is based on claims 1-39. However, claims 1-39 were cancelled in a Preliminary Amendment filed on September 28, 2001. New claims were added by way of the Preliminary Amendment dated September 28, 2001 and November 16, 2001. Copies of the acknowledgement postcards indicating receipt by the U. S. Patent and Trademark Office of those two documents are attached. It is respectfully requested that a new Action issue in which claims 40-66 are examined on the merits.

The Examiner (Mr. Owens) was contacted by telephone on September 20, 2004 and a message was left on the Examiner's voice mail. The Examiner is requested to contact the undersigned if any questions arise in connection with this matter.

von BORSTEL et al  
Appl. No. 09/964,514  
September 20, 2004

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: 

Leonard C. Mitchard  
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Serial No.: 09/964,514 Atty: LCM  
Applicant: von Borsig et al Date: 11/16/01  
Title: Achse für Maschine Ref: 353



**Other:**





New divisional Appl. N. of 08/466,144

Serial No.:

Applicant: Von Borsig et al

Title:

Dicyanated Uridine and  
Cytidine and uses thereof

Amendment \_\_\_\_\_

57 Pages Specification \_\_\_\_\_

15 Claims \_\_\_\_\_

11 Sheets Drawings: Formal \_\_\_\_\_

X Informal Declaration (2 Pages)

Assignment \_\_\_\_\_

Priority Document \_\_\_\_\_

Base Issue Fee Transmittal

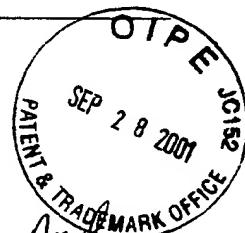
\$710.00 Fee (Check)

Atty: LCM

Date: 9/28/01

Client: 133

Ref: 353



Other: Cover; IAS, 1449, Prelim. Am

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

von BORSTEL et al

Serial No. 09/964,514

Filed: September 28, 2001

Title: ACYLATED URIDINE AND CYTIDINE AND USES THEREOF

Atty Dkt. 1331-353  
C# M#

TC/A.U. 1623

Examiner: Howard V. Owens, Jr.

Date: September 20, 2004



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment previously paid for	27	minus highest number (at least 20) =	0	x	\$ 18.00	\$ 0.00
Independent claims after amendment previously paid for	2	minus highest number (at least 3) =	0	x	\$ 86.00	\$ 0.00
If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)						\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)						\$ 0.00
Terminal disclaimer enclosed, add \$ 110.00						\$ 0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)						\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed						
<input type="checkbox"/> Submission attached						
					<b>Subtotal</b>	\$ 0.00
If "small entity," then enter half (1/2) of subtotal and subtract					<b>-\$</b>	0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith						
Rule 56 Information Disclosure Statement Filing Fee (\$180.00)						\$ 0.00
Assignment Recording Fee (\$40.00)						\$ 0.00
Other:						<b>0.00</b>
					<b>TOTAL FEE ENCLOSED</b>	<b>\$ 0.00</b>

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 